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Case 06-14230 Doc 1 Filed 11/01/06 (Official Form 1) (10/06) Document

United States Bankruptcy Court Northern District of Illinois, Eastern Division			Voluntary Petition		
Name of Debtor (if individual, enter Last, First, Middle): Gibrick, Melissa S.			Name of Joint Debtor (Spouse) (Last, First, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  None		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):			
Last four digits of Soc.Sec.No./Complete EIN or other Tax ID No. (if more than one, state all): 8929		Last four digits of Soc.Sec.No./Complete EIN or other Tax ID No. (if more than one, state all):			
Street Address of Debtor (No. and Street, City, a 5 Kensington Ct.	and State)	Street Addres	s of Joint Debtor (No. and St	reet, City, and State	
Hawthorn Woods, IL	ZIPCODE 60047	1		ZIPCODE	
County of Residence or of the Principal Place of Business:		County of Residence or of the Principal Place of Business:			
Lake Mailing Address of Debtor (if different from stre	eet address):	Mailing Addr	Mailing Address of Joint Debtor (if different from street address):		
	ZIPCODE	_		ZIPCODE	
Location of Principal Assets of Business Debtor	(if different from street address a	lbove):		ZIPCODE	
Type of Debtor (Form of Organization) (Check one box)  Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP)  Partnership Other (if debtor is not one of the above entities, check this box and state type of entity below)  Filling Fee (Check one b  Full Filing Fee attached  Filing Fee to be paid in installments (Application for the court's consideration to pay fee except in installments. Rule 1006  Filling Fee waiver requested (applicable to chattach signed application for the court's consideration for the court's co	able to individuals only) Must a on certifying that the debtor is un (b). See Official Form No. 3A. napter 7 individuals only). Must	y ble) anization d States e Code)  Check able De Check ow Check A	Chapter 7  Chapter 9  Chapter 12  Chapter 13  Chapter 13  Nati (Chapter 13  Debts are primarily conditional primarily personal, family, or hour purpose."  Cone box: Chapter 11 In the better is a small business a debtter is not a small business a debtter is not a small business a debtter is a gregate nonconting yed to insiders or affiliates) at all applicable boxes  plan is being filed with this primarily for the purpose.	J.S.C. Debts are primarily business debts or a ousehold  Debtors  efined in 11 U.S.C. § 101(51D)  as defined in 11 U.S.C. § 101(51D)  ent liquidated debts (excluding debts re less than \$2 million  Detition.  olicited prepetiion from one of	
Statistical/Administrative Information  Debtor estimates that funds will be available for dist  Debtor estimates that, after any exempt property is e	excluded and administrative			THIS SPACE IS FOR COURT USE ONLY	
expenses paid, there will be no funds available for distribution to unsecured creditors.  Estimated Number of Creditors					
1- 50- 100- 200- 100 49 99 199 999 500			,001- OVER 0,000 100,000		
Estimated Assets					
\$0 to \$10,000 to \$100,000		\$1 million to \$100 million	More than \$100 million		
Estimated Liabilities  \$0 to \$50,000 to \$100,000	\$100,000 to	\$1 million to	More than \$100 million		

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Voluntary Petition (This page must be completed and filed in every case)  DOCUMENT Page 2 of Debtor(s): Melissa S. Gibrick					
All Prior Bankruptcy Cases Filed Within Last 8 Years (	If more than two, attach additional sheet)				
Location NONE Where Filed:	Case Number:	Date Filed:			
Location Where Filed: N.A.	Case Number:	Date Filed:			
Pending Bankruptcy Case Filed by any Spouse, Partner	•	an one, attach additional sheet)			
Name of Debtor: NONE	Case Number:	Date Filed:			
District:	Relationship:	Judge:			
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)	Exhibit B  (To be completed if debtor is an individual whose debts are primarily consumer debts)  I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code.				
Exhibit A is attached and made a part of this petition.	Signature of Attorney for Debtor(s)	X /s/ John H. Redfield Signature of Attorney for Debtor(s) Date			
Yes, and Exhibit C is attached and made a part of this petition.    No   Exhibit D					
Information Regarding the Debtor - Venue					
(Check any applicable box)  Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.					
There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.					
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United Sates in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.					
Statement by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes)					
Landlord has a judgment for possession of debtor's residence. (If box checked, complete the following.)					
(Name of landlord or lessor that obtained judgment)					
(Address	of landlord or lessor)				
Debtor claims that under applicable non bankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and					
Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.					

# **Voluntary Petition**

(This page must be completed and filed in every case)

Namper Bellons):

Melissa S. Gibrick

### **Signatures**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by § 342(b) of the Bankruptcy Code.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

#### X /s/ Melissa S. Gibrick

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

## Signature of a Foreign Representative of a **Recognized Foreign Proceedings**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign main proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

- I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by § 1515 of title 11 are
- Pursuant to § 1511 of title 11United States Code, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

(Date)

### Signature of Attorney

#### X /s/ John H. Redfield

Signature of Attorney for Debtor(s)

#### JOHN H. REDFIELD 2298080

Printed Name of Attorney for Debtor(s)

Kelleher & Buckley, LLC

Firm Name

231 W. Main Street

Address

Barrington, IL 60010

847-382-9130

Telephone Number

# Signature of Non-Attorney Petition Preparer

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, 2) I prepared this document for compensation, and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. § 110(b), 110(h), and 342(b); and, 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110 setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

#### **Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual Printed Name of Authorized Individual

Title of Authorized Individual

Date

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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Official Form 1, Exhibit D (10/06)

# **UNITED STATES BANKRUPTCY COURT Northern District of Illinois, Eastern Division**

In re_ Melissa S. Gibrick	Case No
Debtor(s)	(if known)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.

Official Form 1, Exh. D (10/06) – Cont.

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]
If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.
<ul> <li>□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]</li> <li>□ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);</li> <li>□ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);</li> <li>□ Active military duty in a military combat zone.</li> </ul>
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Melissa S. Gibrick
Date: